

## Message Text

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ORIGIN EA-12

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DRAFTED BY EA/K:RGRICH:FLW  
APPROVED BY EA - MR. GLEYSTEEEN  
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FM SECSTATE WASHDC  
TO USDEL SECRETARY IMMEDIATE

S E C R E T STATE 310048 TOSEC 130036

FOR DAVID ANDERSON AND JODY POWELL

E.O. 11652: GDS

TAGS: ,GOV, KS, US

SUBJECT: CIRCULAR 175: REQUEST FOR  
AUTHORITY TO CONCLUDE TONGSUN PARK NEGOTIATIONS WITH THE  
REPUBLIC OF KOREA

ACTING SECRETARY HAS APPROVED THE FOLLOWING AUTHORITY FOR  
AMBASSADOR SNEIDER TO SIGN JOINT UNDERSTANDINGS IN SEOUL WITH  
KOREAN GOVERNMENT CONCERNING TONGSUN PARK. WE ARE NOW  
AWAITING ONLY FINAL CONFIRMATION BY JUSTICE FROM TONGSUN  
PARK'S LAWYER THAT TONGSUN PARK HIMSELF IS FULLY ON BOARD.  
IF THIS CONFIRMATION IS RECEIVED, SIGNING AND PUBLIC ANNOUNCE-  
MENT WILL PROBABLY TAKE PLACE FRIDAY.

TO: THE ACTING SECRETARY

FROM: EA - WILLIAM H. GLEYSTEEEN, ACTING

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ISSUE FOR DECISION

THERE ARE TWO ISSUES FOR YOUR DECISION: (1) WHETHER TO  
AUTHORIZE AMBASSADOR SNEIDER TO SIGN A JOINT STATEMENT WITH  
THE GOVERNMENT OF THE REPUBLIC OF KOREA REGARDING MUTUAL

COOPERATION BETWEEN OUR TWO GOVERNMENTS CONCERNING MR.  
TONGSUN PARK, AND (2) WHETHER TO AUTHORIZE THE DEPARTMENT  
OF JUSTICE TO SIGN WITH THE ROKG MINISTRY OF JUSTICE A  
MUTUAL PROSECUTION ASSISTANCE AGREEMENT (MPAA) DETAILING

ARRANGEMENTS FOR QUESTIONING MR. TONGSUN PARK IN KOREA  
AND HIS SUBSEQUENT TESTIMONY IN THE U.S.

ESSENTIAL FACTORS

FOR EIGHT WEEKS WE HAVE BEEN ENGAGED IN INTENSIVE NEGOTIATIONS WITH THE ROK GOVERNMENT TO WORK OUT ARRANGEMENTS RESPONSIVE TO THE REQUIREMENTS OF THE DEPARTMENT OF JUSTICE FOR THE INTERROGATION AND TRIAL TESTIMONY OF KOREAN BUSINESSMAN AND INFLUENCE PEDDLER TONGSUN PARK. AMBASSADOR SNEIDER HAS NOW RESOLVED ALL REMAINING DETAILS WITH ROK FOREIGN MINISTER PAK TONG-JIN IN SEOUL. THE KOREAN GOVERNMENT WISHES TO ISSUE THE JOINT STATEMENT AT 9:30 A.M. FRIDAY, DECEMBER 30, SEOUL TIME (7:30 P.M. THURSDAY, DECEMBER 29, WASHINGTON TIME). THE STATEMENT WOULD BE RELEASED IN WASHINGTON BY BOTH JUSTICE AND STATE AT THE DEPARTMENT OF JUSTICE SIMULTANEOUSLY WITH THE RELEASE IN SEOUL. DEPUTY ATTORNEY GENERAL CIVILETTI WILL ANSWER SUBSTANTIVE PRESS QUESTIONS REGARDING THE AGREEMENT. TOM RESTON AND I WILL ALSO BE PRESENT TO ANSWER QUESTIONS REGARDING THE STATE DEPARTMENT ROLE AND KOREAN COOPERATION.

ESSENTIALLY, THE JOINT STATEMENT SETS FORTH THE UNDER-  
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STANDINGS REACHED BETWEEN AMBASSADOR SNEIDER AND THE KOREAN FOREIGN MINISTER CONCERNING PROCEDURES FOR THE QUESTIONING OF TONGSUN PARK IN KOREA BY DEPARTMENT OF JUSTICE OFFICIALS AND FOR HIS SUBSEQUENT TESTIMONY AT TRIALS IN THE UNITED STATES. IT STATES THAT AN MPAA WILL BE SIGNED IN SEOUL BETWEEN THE DEPARTMENT OF JUSTICE AND THE KOREAN MINISTRY OF JUSTICE PRIOR TO THE COMMENCEMENT OF QUESTIONING OF TONGSUN PARK.

THE DEPARTMENT OF JUSTICE, WHICH HAS CLOSELY GUIDED THE NEGOTIATIONS, IS SATISFIED THAT THE ARRANGEMENTS WILL PERMIT FULL AND VERIFIABLE DIRECT INTERROGATION OF TONGSUN PARK BY U.S. PROSECUTORS AND SUBSEQUENT APPEARANCES BY TONGSUN PARK AS A WITNESS IN U.S. COURT TRIALS AS REQUIRED. ATTORNEY GENERAL BELL AND DEPUTY ATTORNEY GENERAL CIVILETTI CONCUR IN THE RECOMMENDATION TO YOU THAT THESE UNDERSTANDINGS WITH THE ROKG BE APPROVED.

THE JOINT STATEMENT IS ATTACHED AT TAB 1. THE APPENDED UNILATERAL STATEMENT WOULD ALSO BE MADE BY AMBASSADOR SNEIDER POINTING OUT THAT THESE UNDERSTANDINGS DO NOT PURPORT TO SPEAK FOR THE CONGRESS.

THE MPAA BETWEEN THE DEPARTMENT OF JUSTICE AND THE KOREAN MINISTRY OF JUSTICE IS ATTACHED AT TAB 2. IT IS TOTALLY CONSISTENT WITH THE JOINT STATEMENT, AND INCORPORATES IT BY REFERENCE. IT CONTAINS MORE PRECISE DETAIL ON

ARRANGEMENTS FOR INTERROGATION, TRANSMITTAL OF TRANSCRIPTS TO INTERESTED CONGRESSIONAL COMMITTEES, ETC. IN AN INDIRECT WAY IT SETS OUT THE LIMITS AS TO WHAT WE ARE PREPARED TO DO ABOUT CONGRESSIONAL SUBPOENAS OR A CONCEIVABLE REQUEST BY PARK FOR POLITICAL ASYLUM.

WRITTEN ASSURANCES HAVE BEEN OBTAINED FROM TONGSUN PARK CONFIRMING THAT HE WILL COOPERATE WITH THE INTERGOVERNMENTAL ARRANGEMENTS AS SET FORTH IN THE ABOVE TWO DOCUMENTS  
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THESE ARRANGEMENTS AND AGREEMENTS ARE A SIGNIFICANT MILESTONE AND FULLY PROTECT OUR INTERESTS. WE BELIEVE THIS REFLECTS A SINCERE EFFORT TO BEGIN A RESTORATION OF OUR DAMAGED BILATERAL RELATIONSHIP. EVEN IN THE BEST OF CIRCUMSTANCES, HOWEVER, THE REPAIR OF THIS RELATIONSHIP IS GOING TO BE SLOW AND DIFFICULT. WE CANNOT RULE OUT PROBLEMS IN IMPLEMENTING THE AGREEMENTS; TONGSUN PARK MAY REFUSE TO COOPERATE WITH THE CONGRESSIONAL COMMITTEES; AND EVEN IF PARK SHOULD COOPERATE FULLY WITH BOTH THE JUSTICE DEPARTMENT AND THE CONGRESS, HIS TESTIMONY MAY FURTHER AGGRAVATE CONGRESSIONAL ATTITUDES TOWARD KOREA, WITH MORE UNHELPFUL EFFECTS ON OUR REQUEST FOR SECURITY ASSISTANCE AND ARMS TRANSFER LEGISLATION.

OUR SUCCESS IN OBTAINING ARRANGEMENTS WHICH WILL MEET JUSTICE'S REQUIREMENTS DOES NOT FULLY MEET THE CONGRESSIONAL PROBLEM. JUSTICE IS COMMITTED TO TRY TO PERSUADE THE TWO ETHICS COMMITTEES NOT TO SUBPOENA PARK WHEN HE COMES HERE FOR TRIAL TESTIMONY, BUT WE HAVE MADE IT CLEAR TO THE ROKG THAT WE CAN NEITHER PREVENT A CONGRESSIONAL SUBPOENA IF THE EFFORTS TO WIN COOPERATION FAIL, NOR FORCE TONGSUN PARK'S DEPARTURE AGAINST HIS WILL IF HE SEEKS TO REMAIN HERE LEGALLY.

THE INITIAL REACTION ON THE HILL TO THE AGREEMENT WILL BE MIXED. JAWORSKI IS SURE TO ATTACK IT AS INADEQUATE. HOPEFULLY, THE REACTION WILL EVOLVE, HOWEVER, IF JUSTICE IS ABLE TO OBTAIN ADEQUATE TESTIMONY AND A FLOW OF INFORMATION RESULTING FROM THIS EFFORT BEGINS TO GO TO THE ETHICS COMMITTEES. ULTIMATELY, SOME ACCOMMODATION BETWEEN TONGSUN PARK AND THE RELEVANT CONGRESSIONAL COMMITTEES WILL ALMOST CERTAINLY BE REQUIRED. WE HAVE ALREADY MADE THE  
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KOREANS AWARE OF THIS AND WILL PROBABLY NEED TO EMPHASIZE THE POINT FURTHER IN DUE COURSE. HOWEVER, I BELIEVE WE

SHOULD NOT BECOME A DIRECT CHANNEL FOR SUCH A NEGOTIATION UNLESS REQUESTED.

IN ORDER TO BEGIN IMPLEMENTING THE PRESENT AGREEMENT,  
CIVILETTI AND MICHEL WILL TRAVEL TO KOREA ON OR ABOUT  
JANUARY 7 TO CARRY OUT THE INTERROGATION OF TONGSUN PARK.

A STATEMENT OF LEGAL AUTHORITY FOR SIGNATURE OF THE PRO-  
POSED JOINT STATEMENT AND MPAA IS ATTACHED AT TAB 3.

(NOT INCLUDED IN CABLE)

RECOMMENDATION:

THAT YOU AUTHORIZE AMBASSADOR SNEIDER TO SIGN THE JOINT  
STATEMENT WITH THE KOREAN GOVERNMENT AT TAB 1, AND THE  
DEPARTMENT OF JUSTICE SUBSEQUENTLY TO CONCLUDE A MUTUAL  
PROSECUTION ASSISTANCE AGREEMENT WITH THE ROK MINISTRY  
OF JUSTICE ALONG THE LINES OF THE TEXT AT TAB 2.

APPROVE:

DISAPPROVE:

ATTACHMENTS:

TAB 1 - JOINT STATEMENT

TAB 2 - MUTUAL PROSECUTION ASSISTANCE AGREEMENT

TAB 3 - STATEMENT OF LEGAL AUTHORITY FOR SIGNATURE OF  
JOINT STATEMENT

CLEARED BY: L - MR. HANSELL; H - MS. SWIFT

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TAB 1

TITLE: JOINT STATEMENT REGARDING COOPERATION BETWEEN THE  
GOVERNMENTS OF THE REPUBLIC OF KOREA AND THE UNITED STATES  
CONCERNING THE CASE OF MR. TONGSUN PARK

THE AMBASSADOR OF THE UNITED STATES TO THE REPUBLIC OF  
KOREA AND THE FOREIGN MINISTER OF THE REPUBLIC OF KOREA  
TODAY JOINTLY ANNOUNCE THE FOLLOWING UNDERSTANDINGS  
BETWEEN THE TWO GOVERNMENTS GUIDING THEIR MUTUAL COOPERA-  
TION CONCERNING MR. TONGSUN PARK.

#### 1. MUTUAL PROSECUTION ASSISTANCE AGREEMENT

A MUTUAL PROSECUTION ASSISTANCE AGREEMENT BETWEEN THE  
REPUBLIC OF KOREA MINISTRY OF JUSTICE AND THE UNITED STATES

DEPARTMENT OF JUSTICE CONCERNING TERMS AND CONDITIONS FOR  
COMMUNICATING WITH MR. TONGSUN PARK WILL BE SIGNED IN SEOUL

BETWEEN REPRESENTATIVES OF THE REPUBLIC OF KOREA MINISTRY OF JUSTICE AND THE UNITED STATES JUSTICE DEPARTMENT PRIOR TO THE BEGINNING OF THE QUESTIONING OF MR. TONGSUN PARK.

2. DEPARTMENT OF JUSTICE MEETING WITH MR. TONGSUN PARK.

MR. TONGSUN PARK WILL MEET BRIEFLY WITH UNITED STATES OFFICIALS IN THE UNITED STATES EMBASSY IN SEOUL IN THE PRESENCE OF TWO KOREAN OFFICIALS AND MR. PARK'S COUNSEL. THE PURPOSE OF THIS MEETING WILL BE FOR SIGNING BY THE UNITED STATES DEPARTMENT OF JUSTICE AND MR. PARK OF A MEMORANDUM OF UNDERSTANDING CONCERNING MR. TONGSUN PARK'S AGREEMENT TO GIVE TRUTHFUL TESTIMONY AND THE DEPARTMENT OF JUSTICE'S OFFER TO GRANT HIM FULL IMMUNITY AND, UPON  
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COMPLETION OF HIS TESTIMONY, TO SEEK THE DISMISSAL OF THE INDICTMENT NOW PENDING AGAINST HIM.

3. QUESTIONING OF MR. TONGSUN PARK IN KOREA.

A. MR. PARK WILL BE QUESTIONED IN SEOUL BY KOREAN AND AMERICAN PROSECUTORS AT A LOCATION TO BE MUTUALLY AGREED UPON AND ARRANGED BY THE KOREAN SIDE.

B. THERE WILL BE NO LIMITATION ON THE NUMBER OF QUESTIONING SESSIONS, BUT SUCH QUESTIONING SHALL BE CONDUCTED DURING NORMAL OFFICE WORKING HOURS. SESSIONS WILL NOT BE OPEN TO THE PUBLIC. THE QUESTIONING WILL CONCERN THE RELATIONSHIP BETWEEN MR. TONGSUN PARK AND UNITED STATES OFFICIALS AND PERSONS, AND MR. PARK'S ACTIONS WITH RESPECT TO THEM.

C. BOTH THE KOREAN AND UNITED STATES PROSECUTORS WILL ENGAGE IN FULL AND DIRECT QUESTIONING OF MR. TONGSUN PARK.

D. OATHS WILL BE ADMINISTERED IN ACCORDANCE WITH KOREAN LAW AND INTERNATIONAL PRACTICES; POLYGRAPH EXAMINATION MAY BE USED; ENGLISH MAY BE USED IN QUESTIONS AND ANSWERS ALONG WITH KOREAN WITH THE HELP OF INTERPRETERS; AND VERBATIM RECORD WILL BE MADE OF THE TESTIMONY.

4. ARRANGEMENTS AND ASSURANCES FOR MR. TONGSUN PARK'S TRIAL TESTIMONY BEFORE UNITED STATES COURTS.

A. THE PURPOSE OF MR. TONGSUN PARK'S TRAVEL TO THE UNITED STATES UNDER THESE ARRANGEMENTS IS TO TESTIFY AS A WITNESS IN COURT.

B. THE UNITED STATES DEPARTMENT OF JUSTICE WILL SEEK DISMISSAL BY THE COURT OF THE PENDING INDICTMENT AGAINST MR. TONGSUN PARK PROMPTLY UPON COMPLETION OF HIS TRUTHFUL

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TESTIMONY AT THE LAST UNITED STATES COURT PROCEEDING AND WILL PROVIDE HIM WITH FULL IMMUNITY FROM ANY PAST CRIMINAL CONDUCT.

C. THE INTENTION OF THE UNITED STATES DEPARTMENT OF JUSTICE IS TO QUESTION MR. TONGSUN PARK BEFORE THE COURT ON THE SUBJECT OF HIS RELATIONS WITH UNITED STATES OFFICIALS AND PERSONS, AND MR. PARK'S ACTIONS WITH RESPECT TO THEM.

D. MR. TONGSUN PARK BY REASON OF THESE ARRANGEMENTS WILL ASSUME NO OBLIGATION TO APPEAR BEFORE CONGRESSIONAL COMMITTEES IN THE UNITED STATES OR TO UNDERGO QUESTIONING BY ANY UNITED STATES GOVERNMENT AGENCY OTHER THAN THE DEPARTMENT OF JUSTICE.

E. THE UNITED STATES GOVERNMENT GIVES FULL ASSURANCES THAT IT WILL TAKE ALL NECESSARY MEASURES TO PROTECT THE PERSONAL SAFETY OF MR. TONGSUN PARK WHEN IN THE UNITED STATES SHOULD CAUSE FOR SUCH MEASURES ARISE.

F. MR. TONGSUN PARK WOULD BE ADMITTED TO THE UNITED STATES UNDER THE AUTHORITY OF THE DEPARTMENT OF JUSTICE FOR THE SPECIFIC PURPOSE OF AND LIMITED PERIODS NECESSARY FOR TESTIFYING AT COURT TRIALS. THE UNITED STATES GOVERNMENT GIVES FULL ASSURANCES THAT THE DEPARTMENT OF JUSTICE DOES NOT INTEND TO DETAIN HIM IN THE UNITED STATES. UNDER THESE ARRANGEMENTS, THEREFORE, IT IS EXPECTED THAT HE WOULD RETURN TO THE REPUBLIC OF KOREA PROMPTLY AFTER HIS TESTIMONY AT EACH TRIAL.

5. MR. TONGSUN PARK'S TRAVEL TO AND FROM THE UNITED STATES AND THE REPUBLIC OF KOREA.

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A. THE REPUBLIC OF KOREA GOVERNMENT IS PREPARED ACTIVELY TO ADVISE MR. TONGSUN PARK TO TRAVEL TO THE UNITED STATES AS A WITNESS SOLELY FOR THE PURPOSE OF TRIAL TESTIMONY, IF AND WHEN NECESSARY.

B. THE REPUBLIC OF KOREA GOVERNMENT WILL PROVIDE MR. TONGSUN PARK WITH A TRAVEL DOCUMENT AND EXIT PERMIT IN ORDER FOR HIM TO TRAVEL ONLY TO AND FROM THE UNITED STATES AND THE REPUBLIC OF KOREA SOLELY FOR THE PURPOSE OF HIS TRIAL TESTIMONY BEFORE THE UNITED STATES COURT, AND WILL TAKE ALL NECESSARY STEPS TO FACILITATE HIS TRAVEL FOR THIS PURPOSE.

IN MAKING PUBLIC THIS JOINT STATEMENT, THE TWO GOVERNMENTS REAFFIRM THEIR LONG-STANDING SPIRIT OF FRIENDLY COOPERATION AND EXPRESS THEIR SINCERE HOPE FOR THE EARLY SETTLEMENT OF THE PENDING PROBLEMS BETWEEN THE TWO GOVERNMENTS CONCERNING THE CASE OF MR. TONGSUN PARK.

DONE AT SEOUL, KOREA THIS      DAY OF      IN DUPLICATE  
IN THE KOREAN AND ENGLISH LANGUAGES, BOTH TEXTS BEING  
EQUALLY AUTHENTIC.

FOR THE GOVERNMENT OF	FOR THE GOVERNMENT OF THE
THE UNITED STATES:	REPUBLIC OF KOREA:
RICHARD L. SNEIDER	TONG JIN PARK
AMBASSADOR	MINISTER OF FOREIGN AFFAIRS

THE AMBASSADOR OF THE UNITED STATES TO THE REPUBLIC OF KOREA ALSO STATED THAT DURING THE DISCUSSIONS AND NEGOTIATIONS LEADING UP TO THIS JOINT STATEMENT IT HAD BEEN MADE CLEAR TO THE GOVERNMENT OF THE REPUBLIC OF KOREA THAT THESE UNDERSTANDINGS HAD NOT BEEN JOINED IN BY ANY UNITED STATES CONGRESSIONAL COMMITTEE AND ARE NOT INTENDED TO CONTROL REQUESTS FROM THE UNITED STATES CONGRESS WHICH MAY BE MADE TO THE KOREAN GOVERNMENT NOR SUCH RESPONSES AS THE  
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KOREAN GOVERNMENT MAY MAKE THERETO CONCERNING TONGSUN PARK OR ANY OTHER KOREAN CITIZENS.

FOLLOWING IS FULL TEXT OF REVISED MPAA:

TITLE: MUTUAL PROSECUTION ASSISTANCE AGREEMENT BETWEEN THE REPUBLIC OF KOREA MINISTRY OF JUSTICE AND THE UNITED STATES DEPARTMENT OF JUSTICE CONCERNING TERMS AND CONDITIONS FOR COMMUNICATING WITH MR. TONGSUN PARK.

1. THE MINISTRY OF JUSTICE OF THE REPUBLIC OF KOREA AND THE UNITED STATES DEPARTMENT OF JUSTICE AGREE TO RENDER, IN ACCORDANCE WITH THE LAWS OF THEIR RESPECTIVE COUNTRIES, WITH THE PROVISIONS OF THE JOINT STATEMENT REGARDING COOPERATION BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF KOREA AND THE UNITED STATES CONCERNING THE CASE OF MR. TONGSUN PARK ISSUED ON (BLANK) AND WITH THE PROVISIONS OF THIS AGREEMENT, MUTUAL ASSISTANCE TO THE PROSECUTORS IN THEIR RESPECTIVE COUNTRIES WITH RESPECT TO THE ACTIVITIES OF MR. TONGSUN PARK PERTAINING TO ALLEGED BRIBERY OF UNITED STATES OFFICIALS OR PERSONS HEREINAFTER REFERRED TO AS "THE UNITED STATES OFFICIALS".

2. ALL REQUESTS FOR ASSISTANCE MAY BE COMMUNICATED DIRECTLY BETWEEN THE MINISTRY OF JUSTICE OF THE REPUBLIC OF KOREA AND THE UNITED STATES DEPARTMENT OF JUSTICE.

3. MR. TONGSUN PARK MAY BE REPRESENTED BY COUNSEL OF HIS CHOICE AT ALL MEETINGS AND QUESTIONING SESSIONS IN KOREA OR THE UNITED STATES.

4. AT THE MEETING TO BE HELD AT THE AMERICAN EMBASSY IN SEOUL IN THE PRESENCE OF TWO KOREAN OFFICIALS, MR.  
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TONGSUN PARK AND UNITED STATES JUSTICE OFFICIALS WILL BE EXPECTED TO SIGN A MEMORANDUM OF UNDERSTANDING REPRESENTING THE AGREEMENT BETWEEN MR. TONGSUN PARK AND THE UNITED STATES DEPARTMENT OF JUSTICE REGARDING HIS PROMISE TO GIVE TRUTHFUL TESTIMONY AND THE DEPARTMENT OF JUSTICE'S OFFER TO PROVIDE HIM WITH FULL IMMUNITY FROM ANY PAST CRIMINAL CONDUCT AND TO SEEK DISMISSAL OF THE INDICTMENT PRESENTLY PENDING AGAINST HIM FOLLOWING THE COMPLETION OF HIS TESTIMONY AND COOPERATION.

5. DURING THE SUBSEQUENT INTERROGATION OF MR. TONGSUN PARK IN SEOUL, KOREA, KOREAN PROSECUTORS WILL PUT QUESTIONS TO MR. PARK AT THE START OF EACH SESSION OF QUESTIONING. THEREAFTER, UNITED STATES PROSECUTORS WILL PUT QUESTIONS TO MR. PARK CONTINUOUSLY.

6. THE UNITED STATES DEPARTMENT OF JUSTICE PROSECUTORS WILL PUT QUESTIONS TO MR. PARK IN ENGLISH, AND MR. PARK

WILL BE EXPECTED TO ANSWER IN ENGLISH. MR. PARK'S ANSWERS TO A PARTICULAR QUESTION WILL BE STATED WITHOUT DELAY, AND SIMULTANEOUS TRANSLATION INTO KOREAN OR ENGLISH WILL BE EMPLOYED AS NEEDED. A VERBATIM RECORD IN ENGLISH WILL BE PROVIDED TO THE KOREAN PROSECUTION.

7. AT THE OPTION OF THE AMERICAN PROSECUTORS IN LIEU OF QUESTIONING ON THE RECORD, MR. PARK MAY BE EXAMINED BY UNITED STATES POLYGRAPH EXAMINER CONCERNING ANY QUESTION PREVIOUSLY PUT, OR BE INTERVIEWED OFF THE RECORD BY UNITED STATES PROSECUTORS IN THE PRESENCE OF KOREAN OFFICIALS.

8. THE QUESTIONING SHALL CONCERN MR. PARK'S RELATIONSHIP WITH THE UNITED STATES OFFICIALS, INCLUDING CONGRESSMEN, AND RELATED ACTIONS OR STATEMENTS MADE BY PARK OR MADE  
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IN HIS PRESENCE. MR. PARK MAY ALSO BE QUESTIONED ABOUT KOREAN OR AMERICAN PERSONS OR ENTITIES UTILIZED BY HIM TO CONDUCT SUCH RELATIONSHIP. THE QUESTIONING SHALL NOT CONCERN ACTIONS OR STATEMENTS OF OFFICIALS OF THE



REPUBLIC OF KOREA GOVERNMENT OR OF ANY THIRD COUNTRY, EXCEPT ANY WHICH MAY HAVE OCCURRED IN THE UNITED STATES OR IN THE PRESENCE OF UNITED STATES OFFICIALS.

9. WHEN MR. TONGSUN PARK COMES TO THE UNITED STATES AS A WITNESS IN CONNECTION WITH PROSECUTION OF INDICTMENTS AGAINST UNITED STATES OFFICIALS, THE SCOPE OF EXAMINATION BY THE PROSECUTION SHALL BE THE SAME AS IN KOREA.

10. IN ADDITION TO TESTIFYING AS A PROSECUTION WITNESS DURING TRIALS OF UNITED STATES OFFICIALS, MR. PARK MAY BE REQUIRED TO COOPERATE AT RELATED COURT PROCEEDINGS SUCH AS PRE-TRIAL MOTIONS.

11. IT SHOULD NOT BE NECESSARY FOR MR. PARK TO APPEAR BEFORE THE UNITED STATES GRAND JURY, SINCE THE TRANSCRIPTS OF THE SEOUL INTERROGATION WILL BE PRESENTED TO THE GRAND JURY AND SHOULD SUFFICE IN LIEU OF HIS PERSONAL APPEARANCE.

12. IN ADDITION, RELEVANT PORTIONS OF THE TRANSCRIPTS OF MR. PARK'S SEOUL INTERROGATION MAY BE PROVIDED BY THE UNITED STATES DEPARTMENT OF JUSTICE TO UNITED STATES CONGRESSIONAL COMMITTEES. THE COMMITTEES WILL BE URGED TO ACCEPT THE TRANSCRIPTS IN LIEU OF PERSONAL APPEARANCES BY MR. PARK. IN ADDITION, THEY WILL BE ASKED BY THE UNITED STATES DEPARTMENT OF JUSTICE NOT TO SUBPOENA MR. PARK WHEN HE VISITS THE UNITED STATES FOR TRIAL TESTIMONY.

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13. EXCEPT AS PROVIDED IN PARAGRAPHS 10, 11, AND 12, ALL INFORMATION MADE AVAILABLE BY THE MINISTRY OF JUSTICE OF THE REPUBLIC OF KOREA AND THE UNITED STATES DEPARTMENT OF JUSTICE PURSUANT TO THIS AGREEMENT, AND ALL CORRESPONDENCE BETWEEN THEM RELATING TO SUCH INFORMATION AND TO THE IMPLEMENTATION OF THIS AGREEMENT, SHALL BE KEPT CONFIDENTIAL AND SHALL NOT BE DISCLOSED TO THIRD PARTIES OR TO GOVERNMENT AGENCIES, EXCLUDING AGENCIES INVESTIGATING ALLEGED BRIBERY OF THE UNITED STATES OFFICIALS, UNLESS OTHERWISE AGREED.

14. THE MINISTRY OF JUSTICE OF THE REPUBLIC OF KOREA AND THE UNITED STATES DEPARTMENT OF JUSTICE SHALL GIVE ADVANCE NOTICE PRIOR TO THE USE OF ANY INFORMATION MADE AVAILABLE PURSUANT TO THIS AGREEMENT.

15. THIS AGREEMENT SHALL ENTER INTO FORCE ON THE DATE OF SIGNATURE BY BOTH REPRESENTATIVES OF THE MINISTRY OF JUSTICE OF THE REPUBLIC OF KOREA AND THE UNITED STATES DEPARTMENT OF JUSTICE.

DONE AT SEOUL, KOREA THIS (BLANK) DAY OF  
(BLANK) IN DUPLICATE IN THE KOREAN AND ENGLISH LANGUAGES,  
BOTH TEXTS BEING EQUALLY AUTHENTIC.

FOR THE MINISTRY OF JUSTICE FOR THE UNITED STATES  
OF THE REPUBLIC OF KOREA: DEPARTMENT OF JUSTICE:

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END TEXT. CHRISTOPHER

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## Message Attributes

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